

# SENATE BILL REPORT

## SHB 2468

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As Reported By Senate Committee On:  
Law & Justice, February 21, 1996

**Title:** An act relating to filing fees.

**Brief Description:** Clarifying the division of certain court filing fees.

**Sponsors:** House Committee on Law & Justice (originally sponsored by Representatives Appelwick, Costa, Sheahan, Scott and Hatfield).

**Brief History:**

**Committee Activity:** Law & Justice: 2/21/96 [DPA].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Dick Armstrong (786-7460)

**Background:** Superior court clerks are required by law to collect specified filing fees. The amount of the fee depends on the nature of the action and nature of the document to be filed.

Most of the fees collected are subject to division. For example, fees collected for filing abstracts of judgments from other courts are divided between the county and the public safety and education account, whereas fees collected for filing adoption petitions are divided between the county, public safety and education account, and the county or regional law library fund. In contrast, the county retains all the fees for filing petitions to modify divorce decrees.

During the 1995 session, the Legislature enacted SHB 1672, which restructured then-existing statutes governing fees collected by superior court clerks. However, some inconsistencies in the fee statutes remain. Specifically, two separate provisions impose a filing fee of \$25 for a petition for determination of water rights. Under one provision, the fee is to be split between the county, public safety and education account, and the county or regional law library fund. Under the other provision, the county retains the entire fee.

The Legislature also passed a law creating a \$35 filing fee for petitions concerning the validity of nonconsensual common law liens, and another law providing for the filing of a Department of Labor and Industries notice of debt due for compensating a crime victim. The latter law did not specify the amount of the filing fee. However, the filing fee for initial filings in civil actions is \$110. Neither law specified whether filing fees were to be divided or, if so, how.

**Summary of Amended Bill:** The provision requiring the filing fee for a petition for determination of water rights to be split between the county, public safety and education account, and the county or regional law library fund, is stricken.

The \$35 filing fee for petitions concerning the validity of nonconsensual common law liens is to be divided between the county and public safety and education account. The filing fee for a notice of debt due for compensating a crime victim is explicitly set at \$110, to be divided between the county, public safety and education account, and county or regional law library. A duplicate filing fee concerning nonjudicial probate disputes is deleted.

**Amended Bill Compared to Substitute Bill:** A duplicate filing fee concerning nonjudicial probate disputes is deleted.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The bill addresses the two new filing fees created last year by the Legislature; in addition, it makes two technical corrections in the court fees statutes. No fees are increased.

**Testimony Against:** None.

**Testified:** Debbie Wilke, Clerks Association.